

ORIGINAL

Before the
Federal Communications Commission

Washington, D.C. 20554

In the Matter of)
)
Amendment of Section 73.207(b))
of the Commission's Rules)
Table of Allotments)
FM Broadcast Stations)
(Clinton, Yazoo City, Mississippi))

RM _____

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

To: Acting Chief, Allocations Branch

PETITION FOR RULEMAKING

Mississippi College ("MC"), by and through counsel and pursuant to §§1.411 of the Commission's Rules (47 C.F.R. §§1.411) hereby submits its Petition For Rulemaking seeking to amend the FM Table of Allotments. In support whereof, the following is shown:

MC is the licensee of commercial FM station, WHJT(FM), Clinton, Mississippi. WHJT(FM) presently operates as a grandfathered short-spaced FM station on Channel 228A. The station is precluded from operating as a fully-spaced, 6 kilowatt, FM station because of a short-spacing to a vacant allotment of Channel 229A at Yazoo City, Mississippi.¹ Therefore, through this rulemaking, MC is requesting that the Commission delete the vacant allotment on Channel 229A at Yazoo City, Mississippi, in order to permit WHJT(FM) to provide improved service to the community of Clinton, Mississippi. In addition, MC requests that the Commission allow a modification to

¹ The allotment was originally held by Dri-Two, Inc., permittee of WAZF-FM, however Dri-Two, Inc.'s Construction Permit was later cancelled and the Channel has been vacant since July, 1993. See File No. BMPH-900725JA.

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the license of WHJT(FM), Clinton, Mississippi, to permit the station to operate with 6 kilowatt facilities. Should the Commission permit such changes, MC will immediately file an application to modify the license of WHJT(FM).

As demonstrated in the attached Engineering Statement (Exhibit A), the sole impediment to WHJT(FM) operating as a fully-spaced, 6 kilowatt, FM station is the vacant allotment at Yazoo City, Mississippi, for Channel 229A. Deletion of this vacant allotment is therefore proposed. Yazoo City is presently served by another FM station, WJNS(FM), on Channel 221C3, as well as an AM station, WAZF(AM). Therefore, the deletion of Channel 229A from Yazoo City will not cause a loss of service to this community. Service will be enhanced to the community of Clinton, Mississippi, which has a larger population than Yazoo City (21,847 to 12,427) and is deserving of the enhanced FM service that will accompany the proposed changes. The Commission will also be eliminating two short-spaced allotments by making the changes proposed by MC. Therefore, the public interest benefits weigh in favor of deleting vacant Channel 229A at Yazoo City.

The Commission has entertained proposed changes to the FM Table Allotments to permit short-spaced FM licensees to operate with fully-spaced, 6 kilowatt facilities. See, FM Table of Allotments (Tawas City, Michigan), 9 FCC Rcd 4794 (1994) and Table of Allotments (Oakhurst, California, et. al), 9 FCC Rcd 653 (1994). In addition, the Commission has deleted a vacant FM allotment where there was no present expression of interest in

order to permit a beneficial enhancement of service for another FM licensee. See, Table of Allotments (Silverton, CO), 9 FCC Rcd 4097 (1994). Therefore, in addition to the public interest benefits, Commission precedent supports MC's proposal.

WHEREFORE, the above-premises considered, Mississippi College respectfully requests that the Commission issue a Notice of Proposed Rulemaking looking to make the following changes to the FM Table of Allotments:

<u>City</u>	<u>Channel No.</u>	
	<u>Present</u>	<u>Proposed</u>
Clinton, Mississippi	228A-	228A
Yazoo City, Mississippi	221C3, 229A	221C3

In addition, Mississippi College respectfully requests that the Commission permit the modification of its license for WHJT(FM), Clinton, Mississippi, in order to permit the station to operate as a fully-spaced, 6 kilowatt, FM station.

Respectfully submitted,

MISSISSIPPI COLLEGE

By:


Shaun A. Maher

Its Attorney

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November 21, 1994

EXHIBIT 1

Radio Station WHJT(FM)
Post Office Box 4247
Clinton, MS 39058

PETITION FOR RULEMAKING
FM Channel 228A

November 1994

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F. W. Hannel, PE
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STATE OF ILLINOIS)
) SS:
COUNTY OF PEORIA)

F. W. Hannel, after being duly sworn upon oath,
deposes and states:

He is a registered Professional Engineer, by
examination, in the State of Illinois;

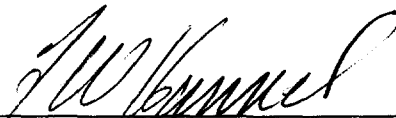
He is a graduate Electrical Engineer, holding Bachelor
of Science and Master of Science degrees, both in Electrical
Engineering;

His qualifications are a matter of public record and
have been accepted in prior filings and appearances requiring
scrutiny of his professional qualifications;

The attached Engineering Report was prepared by him
personally or under his supervision and direction and;

The facts stated herein are true, correct, and
complete to the best of his knowledge and belief.

November 15, 1994



F. W. Hannel, P.E.

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Radio Station WHJT(FM)
Post Office Box 4247
Clinton, MS 39058

PETITION FOR RULEMAKING
FM Channel 228A

November 1994

ENGINEERING STATEMENT

This firm has been retained by the licensee of Radio Station WHJT(FM), Clinton, Mississippi, to prepare this Engineering Statement in support of its Petition For Rulemaking, in which it seeks to amend the FM Table of allotments to assign fully spaced FM Channel 228A to the community of Clinton, Mississippi, to replace the presently assigned channel, which is a grandfathered short-spaced Class A facility.

The proposed assignment can be made to the community with a sample transmitter site located at N32-23-55, W90-20-14. This sample site is 6.4 miles north of Clinton, Mississippi, (US Atlas coordinates N32-20-18, W90-19-54), and a transmitter operating from this sample site will fully comply with the Commission's mileage separation and city grade illumination requirements. Attached as Exhibit E-1 is an FM Channel study conducted at the sample transmitter site coordinates, which clearly demonstrates that the proposed allotment can be made if the presently assigned, but vacant, FM Channel 229A at Yazoo City, Mississippi, were deleted. The assignment at Yazoo City is a grandfathered short spaced assignment, and no applications are pending for that allotment.

The community of Clinton, Mississippi, has a population of 21,847 persons, and is located in Warren County, which has a population of 47,880 persons. Radio Station WHJT(FM) is the only FM assignment at Clinton, Mississippi, and the proposed upgrade to a fully spaced Class A facility would allow that licensee to more fully provide service to the environs around Clinton. In addition, two short spaced facilities would be eliminated from the Commission's FM Table of Allotments. The community of Yazoo, Mississippi, (population 12,427 persons) is presently well served by Radio Station WAZF(AM), a Class IV AM facility, and by Radio Station WJNS(FM), a Class C3, (25 kw at 100 meters), FM facility. Clinton is only served by daytime only WTWZ(AM), and by the presently short-spaced facilities of Radio Station WHJT(FM). Since Clinton has nearly double the population of Yazoo City, and with Clinton having aural services inferior to those of the smaller community at Yazoo City, the changes proposed are clearly in the public interest.

In view of the foregoing, it is respectfully requested that the Commission initiate a rulemaking proceeding proposing the following change in the FM Table of Allotments:

City	Present	Proposed
Clinton, MS	228A-	2286A
Yazoo City, MS	221C3, 229A-	221C3

The above changes in the FM Table of Allotments will provide the community of Clinton, Mississippi, with a fully spaced Class A allotment, remove 2 short spacings from the same table, and will not deprive any community of an FM service. The proposal meets all of the Commission's technical requirements, and clearly serves the public interest, and should be adopted by the Commission.

Radio Station WHJT(FM)
Post Office Box 4247
Clinton, MS 39058

PETITION FOR RULEMAKING
FM Channel 228A

FM Channel Study
N32-23-55
W90-20-05

Exhibit E-1

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Utica	MS	225	A	U	33.3	31.0	210.9°	2.3
WJXNFM	Utica	MS	225	A	D	36.2	31.0	204.9°	5.2
WJXNFM	Utica	MS	225	A	D	36.2	31.0	204.9°	5.2
WJXNFM	Utica	MS	225	A	L	36.2	31.0	204.9°	5.2
WMDCFM	Hazlehurst	MS	225	A	A	56.4	31.0	186.2°	25.4
WMDCFM	Hazlehurst	MS	225	A	A	56.4	31.0	186.2°	25.4
WSYE	Houston	MS	227	C	L	202.7	165.0	42.2°	37.7
WQGL	Butler	AL	228	C2	A	198.8	166.0	98.4°	32.8
KGGM	Delhi	LA	228	A	L	114.6	115.0	273.5°	-0.4
ALC	Clinton	MS	228	A	U	6.8	115.0	174.1°	-108.2 SHORT!
WHJT	Clinton	MS	228	A	L	6.8	115.0	174.1°	-108.2 SHORT!
ALC	Yazoo City	MS	229	A	U	57.6	72.0	352.0°	-14.4 SHORT! ¹
ALC	Pearl	MS	230	A	U	30.6	31.0	122.1°	-0.4
WVIV	Pearl	MS	230	A	A	34.0	31.0	110.6°	3.0
WVIV	Pearl	MS	230	A	C	33.8	31.0	109.3°	2.8

All distances in Kilometers

1. Deletion proposed.